

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

In re:	:	Case No. 21-21297-GLT
<b>SHERRI L. SENCHISEN,</b>	:	Chapter 13
<i>Debtor.</i>	:	Related to Dkt. No. 70
	:	
<b>RODNEY D. SHEPHERD,</b>	:	
<i>Movant.</i>	:	Hearing: September 22, 2021
	:	

**ORDER**

The Court previously dismissed this case, but retained jurisdiction to consider the propriety of the legal fees paid by the Debtor to Rodney Shepherd (“Attorney Shepherd”).<sup>1</sup> In particular, the Court sought to examine the reasonableness of Attorney Shepherd’s \$1,200 fee under 11 U.S.C. § 329(b) given that the Debtor requested dismissal of her case a mere 17 days after the petition date.

The Court conducted a hearing to consider the matter on September 22, 2021, at which time Attorney Shepherd indicated the Debtor’s original preference was to pursue relief under chapter 7. Nevertheless, Attorney Shepherd counseled the Debtor to pursue chapter 13 because the value of her residence was determined to vastly exceed the amount of the existing secured claims. Moreover, Attorney Shepherd indicated to the Court that he independently researched the home’s value and concluded that it was approximately \$200,000. When the chapter 13 plan and schedules were filed, however, the Debtor suggested the residence was worth no more than \$128,000, with a secured claim of \$103,000 and an exemption of approximately \$10,000. The Court is left with significant concerns

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<sup>1</sup> 11 U.S.C. § 329(b).  
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about the veracity of the schedules produced by Attorney Shepherd's office and will need to examine them more closely in the future.

After scrutinizing the itemization of fees charged to the Debtor, the Court concluded that some of the work completed provided no benefit to the Debtor. Under a fairly forgiving standard, and for the reasons stated on the record, the Court found \$1,118.01 in fees and \$23.15 in costs to be appropriate, while identifying \$58.84 in excessive charges to the Debtor. In accordance with this finding, the Court is compelled to order Attorney Shepherd to refund \$58.84 to the Debtor.

Based upon the foregoing, the Court finds that it is reasonable and appropriate to order a refund of excessive fees charged to the Debtor. It is therefore **ORDERED, ADJUDGED, and DECREED** as follows:

1. On or before **October 29, 2021**, Attorney Shepherd shall refund \$58.84 to the Debtor and file a status report confirming the same.
2. Upon proof that the excessive fees are refunded, the clerk is authorized to close the case.

Dated: September 29, 2021



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GREGORY L. TADDONA  
UNITED STATES BANKRUPTCY JUDGE

Case Administrator to mail to:  
Debtor

In re:  
Sherri L. Senchisen  
Debtor

Case No. 21-21297-GLT  
Chapter 13

District/off: 0315-2  
Date Rcvd: Sep 29, 2021

User: mgut  
Form ID: pdf900

Page 1 of 2  
Total Noticed: 1

The following symbols are used throughout this certificate:

**Symbol** **Definition**

+ Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

**Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 01, 2021:**

Recip ID	Recipient Name and Address
db	+ Sherri L. Senchisen, 1653 Westmont Avenue, Pittsburgh, PA 15210-3865

TOTAL: 1

**Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.**  
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Oct 01, 2021

Signature: /s/Joseph Speetjens

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 29, 2021 at the address(es) listed below:

Name	Email Address
Jeffrey R. Hunt	on behalf of Creditor Municipality of Bethel Park jhunt@grblaw.com
Keri P. Ebeck	on behalf of Creditor Duquesne Light Company kebeck@bersteinlaw.com jbluemle@bersteinlaw.com
Maria Miksich	on behalf of Creditor CSMC 2019-RPL7 Trust mmiksich@kmllawgroup.com
Office of the United States Trustee	ustpregion03.pi.ecf@usdoj.gov
Rodney D. Shepherd	on behalf of Debtor Sherri L. Senchisen rodsheph@cs.com
Ronda J. Winneco	cmeccf@chapter13trusteewdpa.com

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Page 2 of 2

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TOTAL: 6